

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 19, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHARLES JOSEPH REEVIS,

Plaintiff,

v.

SPOKANE POLICE DEPARTMENT,
and SACRED HEART MEDICAL
CENTER,

Defendants.

NO: 2:20-CV-69-RMP

ORDER OF DISMISSAL WITHOUT
PREJUDICE

This matter was filed on February 19, 2020. ECF No. 1. On July 22, 2020, the Court entered an Order to Show Cause directing Plaintiff to file proof of service of the Complaint upon Defendant or to show cause in a writing to the Court as to why this matter should not be dismissed for lack of service. Plaintiff was given fourteen days to show cause and has failed to do so. In addition, filings mailed to Plaintiff have been returned as undeliverable, and Plaintiff has not provided the Court with any updated address. *See* ECF Nos. 4 and 6.

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1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Plaintiff's Complaint, **ECF No. 1**, is dismissed **without prejudice**, and
3 without costs to any party, for failure to prosecute pursuant to Fed. R. Civ.
4 P. 41(b). The Court finds dismissal with prejudice to be an unnecessarily
5 harsh sanction, given the possibility that Plaintiff was unable to receive the
6 Court's show cause order because he did not provide the Court with a
7 current address.

8 2. All pending motions, if any, are **DENIED AS MOOT**.

9 3. All scheduled court hearings, if any, are **STRICKEN**.

10 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
11 Order, provide copies to counsel, and **close this case**.

12 **DATED** August 19, 2020.

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14 *s/ Rosanna Malouf Peterson*
15 ROSANNA MALOUF PETERSON
16 United States District Judge
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